

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Inspector General

Inspector General



December 3, 2010

The Honorable Adrian M. Fenty
Mayor
District of Columbia
Mayor's Correspondence Unit, Suite 316
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20005

Dear Mayor Fenty:

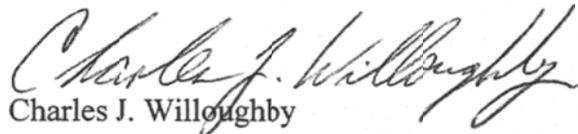
Enclosed please find a copy of a Management Implication Report (MIR 11-I-001), entitled *Lack of Awareness, Policies and Procedures, Training Requirements, and Oversight Mechanisms Regarding the Reporting of Suspected Child Abuse and Neglect in District Entities*, that the Office of the Inspector General (OIG) issued to the Office of the City Administrator (OCA) on October 8, 2010. OCA's response to the MIR, dated November 19, 2010, and the D.C. Department of Human Resource's (DCHR) response dated October 22, 2010, are also enclosed.

The MIR points out that some agencies: 1) have not ensured that mandated reporters have been trained to detect and report signs of child abuse and neglect; 2) do not have oversight mechanisms in place to track how and when mandated reporters are trained; and/or 3) do not have policies and procedures for reporting suspected child abuse and neglect. The OIG published this MIR to address this operational weakness and call attention to the need to mitigate the risk of children remaining in perilous situations.

We are providing this information so that you will be aware of the importance and prevalence of the issues cited in the MIR and the corrective actions planned as stated by the OCA and DCHR.

If you have any questions, please contact Alvin Wright, Jr., Assistant Inspector General for Inspections and Evaluations, at (202)727-2540.

Sincerely,


Charles J. Willoughby
Inspector General

CJW/lm

Enclosures

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DISTRICT OF COLUMBIA
OFFICE OF THE INSPECTOR GENERAL
CHARLES J. WILLOUGHBY
INSPECTOR GENERAL

INSPECTIONS AND EVALUATIONS DIVISION
MANAGEMENT IMPLICATION REPORT

OFFICE OF THE CITY ADMINISTRATOR

**LACK OF AWARENESS, POLICIES AND PROCEDURES,
TRAINING REQUIREMENTS, AND OVERSIGHT
MECHANISMS REGARDING THE REPORTING OF
SUSPECTED CHILD ABUSE AND NEGLECT IN DISTRICT
ENTITIES**

MIR 11-I-001

OCTOBER 8, 2010

Inspections and Evaluations Division
Mission Statement

The Inspections and Evaluations (I&E) Division of the Office of the Inspector General is dedicated to providing District of Columbia (D.C.) government decision makers with objective, thorough, and timely evaluations and recommendations that will assist them in achieving efficiency, effectiveness, and economy in operations and programs. I&E goals are to help ensure compliance with applicable laws, regulations, and policies, to identify accountability, recognize excellence, and promote continuous improvement in the delivery of services to D.C. residents and others who have a vested interest in the success of the city.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Inspector General

Inspector General



October 8, 2010

Neil O. Albert
City Administrator and Deputy Mayor
Office of the City Administrator
1350 Pennsylvania Avenue, N.W., Suite 533
Washington, D.C. 20004

Dear Mr. Albert:

This is a Management Implication Report (MIR 11-I-001) to inform you that in District agencies employing mandated reporters,¹ the Office of the Inspector General (OIG) observed a lack of awareness, policies and procedures, training requirements, and oversight mechanisms regarding the reporting of suspected child abuse and neglect. Specifically, some agencies: 1) have not ensured that mandated reporters have been trained to detect and report signs of child abuse and neglect; 2) do not have oversight mechanisms in place to track how and when mandated reporters are trained; and/or 3) do not have policies and procedures for reporting suspected child abuse and neglect. The lack of internal controls governing mandated reporting increases the risk of children remaining in perilous situations and the potential for the District's liability due to employees' failure to report child abuse and neglect. The OIG issues MIRs on matters of priority concern that affect multiple District agencies.

Background

In the Child Abuse Prevention and Treatment Act, the U.S. Congress found (in part) that "the problem of child abuse and neglect requires a comprehensive approach that ... strengthens coordination among all levels of government, and with private agencies, civic, religious, and professional organizations, and individual volunteers ... [and] ensures properly trained and support staff with specialized knowledge, to carry out their child protection duties"² According to the Child Welfare Information Gateway (Gateway):³

¹ Mandated reporters are individuals required by law to report known or suspected incidents of child abuse and neglect. D.C. Code § 4-1321.02(b) (Supp. 2009) and Chapter 12 of Title 3 governing health occupations provide a listing of these professions; examples include teachers, counselors, physicians, psychologists, and law enforcement personnel.

² *Id.*, 42 U.S.C. §§ 5101-5107, 5116-5116i (1974).

³ The Child Welfare Information Gateway is a service of the Children's Bureau under the U.S. Department of Health and Human Services' Administration for Children and Families and provides access to information on topics such as child welfare, abuse, and neglect. See <http://www.childwelfare.gov/aboutus.cfm> (last visited Jun. 24, 2010).

the first area of defense against the problem of child maltreatment is one of awareness. Each individual who is involved with children has the obligation of knowing the basics of how to protect children from harm. The protection of children is not only an individual issue, but a community concern as well.⁴

The D. C. Child and Family Services Agency (CFSA) “is the public child welfare agency in the District of Columbia responsible for protecting child victims and those at risk of abuse and neglect and assisting their families.”⁵ CFSA’s Child Protective Services (CPS) operates a 24-hour hotline that receives, reviews, and screens reports of alleged or suspected child abuse and/or neglect. When reports of abuse or neglect warrant investigation, CPS social workers conduct them and determine whether the allegations are true.

D.C. Code § 4-1321.02(a) states that any mandated reporter who:

knows or has reasonable cause to suspect that a child known to him or her in his or her professional or official capacity has been or is in immediate danger of being a mentally or physically abused or neglected child, ... shall immediately report or have a report made of such knowledge or suspicion to either the Metropolitan Police Department of the District of Columbia or the Child and Family Services Agency.

D.C. Code § 4-1321.02(d) further states:

any health professional licensed pursuant to Chapter 12 of Title 3 [Health Occupations Boards],⁶ or a law enforcement officer, humane officer of any agency charged with the enforcement of animal cruelty laws ... shall report immediately, in writing, to the [CFSA], that the law enforcement officer or health professional has reasonable cause to believe that a child is abused as a result of inadequate care, control, or subsistence in the home environment due to exposure to drug-related activity.

⁴ <http://www.childwelfare.gov/pubs/usermanuals/educator/educatora.cfm> (last visited Sept. 9, 2010).

⁵ <http://cfsa.dc.gov/DC/CFSA/About+CFSA/Who+We+Are> (last visited Jul. 16, 2010).

⁶ Health Occupations Boards within the District of Columbia regulate the practice of over 50,000 licensees in more than 22 professions and occupations. They have authority to determine the qualifications necessary to obtain licensure, regulate the standards of conduct for their profession, review complaints against licensees, and take appropriate disciplinary action. The Health Professional Licensing Administration supports the Health Occupations Boards by administering the licensing programs, delivering information to the public and licensees, providing administrative and staff support to the boards, and managing the day-to-day business of the boards. *See* <http://hpla.doh.dc.gov/hpla/cwp/view,A,3,Q,488148,hplaNav,%7C30659%7C.asp> (last visited Jul. 16, 2010).

Observations

Some District agencies with employees who are mandated reporters of suspected child abuse and neglect: 1) have not ensured that such employees have received training on how to detect and report signs of child abuse and neglect; 2) do not have oversight mechanisms in place to track how and when mandated reporters receive training; and/or 3) do not have policies and procedures for reporting suspected child abuse and neglect.

During our ongoing inspection of CPS, the OIG learned that CFSA's Office of Training Services Administration provides instructor-led mandated reporter training to District agencies *upon request*. In addition, in February 2009, CFSA launched a free online training course for mandated reporters that is available to both D.C. government employees and the general public.⁷ Upon completion of training, individuals should be able to understand their legal obligations as reporters, recognize signs of child abuse and neglect, know how to respond to a child who discloses abuse or neglect, and know how to prepare and make a report of child abuse. The OIG requested reports from CFSA that detailed the number of individuals by profession and employer who had completed this online training.⁸ A review of the data (Attachment 1) determined that as of March 2010 nearly 3,200 individuals had registered for this course. Of this number, few employees in mandated reporter positions, such as Department of Parks and Recreation employees, public housing managers, and domestic violence counselors, had registered for training.⁹

Given this information, the OIG decided to assess whether mandated reporters working within the District were knowledgeable of mandated reporter duties and responsibilities. When selecting entities to contact, the OIG reviewed D.C. Code §§ 4-1321.02(b) and (d) and the District Personnel Manual (DPM) to determine which entities had oversight of individuals in mandated reporter positions. We contacted six D.C. government agencies and a non-profit organization¹⁰ in August 2010 (See Table 1 below) to determine whether: 1) policies and procedures for reporting suspicions and knowledge of child abuse and neglect had been established and reviewed with employees who are mandated reporters; 2) these employees had been trained to recognize and report child abuse and neglect; and 3) an oversight mechanism was in place to monitor mandated reporter training. During our attempts to obtain information, the OIG noted that some entities needed several days to identify personnel who were knowledgeable about the term "mandated reporter." No entity we contacted had a designated coordinator responsible for monitoring whether employees received mandated reporter training, and some representatives were unaware that CFSA provides mandated reporter training.

⁷ This online training course is found at <http://dc.mandatedreporter.org/>.

⁸ The OIG did not request reports of the number of persons who had received instructor-led training because CFSA did not have electronic records of that information and generating manual reports would be labor-intensive.

⁹ The OIG acknowledges that mandated reporters may have taken the instructor-led mandated reporter training course rather than the online course, which may explain the low percentage of online registrants.

¹⁰ The non-profit organization has a District government contract to provide services to District citizens.

Table 1: D.C. Government Entities Surveyed that Employ and/or Have Oversight of Mandated Reporters
<u>Agencies with Mandated Reporters:</u> ¹¹ <ul style="list-style-type: none">• D.C. Public Schools (DCPS)• Public Charter School Board (PCSB)¹²• Department on Disability Services (DDS)• Department of Human Services (DHS)<ul style="list-style-type: none">◦ Family Services Administration (FSA)◦ Income Maintenance Administration (IMA)• Department of Health (DOH)• Department of Parks and Recreation (DPR)
<u>Organization Providing Services to D.C. Agencies</u> <ul style="list-style-type: none">• Healthy Families/Thriving Communities Collaborative Council (HFTC)¹³

Policies and Procedures

According to the Gateway:

The protocols to prepare for the need to report child maltreatment should:

Reference the State law that requires child care providers^[14] who suspect that a child is being abused or neglected to report such suspicion to the local CPS agency;

¹¹ In April 2009, the OIG issued a *Report of Special Evaluation: Interactions Between an At-Risk Family, District Agencies, and Other Service Providers (2005-2008)* and recommended that D.C. Public Schools and the Public Charter School Board ensure that all mandated reporters under their employ receive annual training regarding how to detect abuse and neglect, and develop uniform policies and procedures for reporting cases of abuse or neglect. During this special evaluation, the OIG found that some DCPS and some charter school employees, including teachers, did not know that they were mandated reporters.

¹² “The PCSB regularly evaluates D.C. public charter schools for academic results, compliance with applicable local and federal laws and fiscal management, and holds them accountable for results. The PCSB can close charter schools that fail to meet the goals established in the charter agreement between the PCSB and the school.” [Http://www.dcpbcharter.com/About-the-Board.aspx](http://www.dcpbcharter.com/About-the-Board.aspx) (last visited Sept. 16, 2010). While the PCSB cannot impose regulations on public charter schools, it can facilitate training opportunities and collaboratively enforce the law.

¹³ The HFTC Collaborative Council is a 501(c)(3) organization that “provides leadership, advocacy, resource development, technical assistance, and training to the six Healthy Families/Thriving Communities Collaboratives.” [Http://dccollaboratives.org](http://dccollaboratives.org) (last visited Sept. 23, 2010).

¹⁴ Although the Gateway writes that these reporting protocols pertain to child care programs, the OIG believes that these protocols should be applied as best practices for District agencies and organizations that have oversight of mandated reporters.

Identify the indicators or the clues that suggest possible child abuse or neglect; ...

Describe the professional obligation and procedures for maintaining the confidentiality of the child, the child's family, and the accused caregiver, including who has a "need to know," the procedures for keeping reports confidential, and filing reports in a file separate from the child's regular file; ...

Describe how the protocols for preventing and for reporting child abuse and neglect will be communicated to all staff and volunteers during orientation and regular in-service training; [and] ...

Include the written policy in the staff handbook;

The protocols for making reports of child maltreatment and for follow-up should:

- Identify whom the child care provider should notify within the ... program if there are suspicions (e.g., the director or another coordinator of child maltreatment issues);
- List the specific information that the child care provider needs in order to make a report;
- Describe how the report is to be made, including who is to make the report to CPS; [and] ...
- State who will be responsible for monitoring or receiving communication or feedback from CPS once the report has been filed¹⁵

The OIG asked senior managers within the seven District entities noted in Table 1 whether internal policies and procedures for reporting knowledge or suspicions of child abuse and neglect had been established. Two agencies (DDS and DHS) replied that none had been established; a PCSB representative stated that the board had not confirmed that such policies had been established; and DOH did not reply to this question. DCPS, DPR, and HFTC representatives replied that policies or guidance existed and presented copies for review. The OIG assessed these documents and found that they did not include many of the components that the Gateway recommends. None of the policies comprehensively defined abuse and neglect, stated how to recognize signs of abuse and neglect and provided examples of such, discussed the legal consequences of not reporting, and provided protocols for filing a report within the agency and to external agencies such as CFSA and MPD.

When asked whether there is an internal policy requiring that employees receive mandated reporter training, only one of the seven surveyed entities (DOH) replied affirmatively. DOH did

¹⁵ <http://www.childwelfare.gov/pubs/usermanuals/childcare/chapterthree.cfm> (last visited Sept. 22, 2010).

not provide a copy of this policy, but responded that 20 nursing and family support workers within DOH's Community Health Administration conduct home visits and receive annual mandated reporter training for recognizing signs of abuse, neglect, and domestic violence. However, a review of the Electronic-District Personnel Manual (E-DPM) Instruction No. 4-15 (Apr. 22, 2010)¹⁶ indicates that there are other positions within DOH (e.g., dental hygienist, medical officer, and physician assistant) that would be considered, by law, as mandated reporters and would require training. HFTC reported that although there is no written policy, annual training is required and personnel are notified via email and telephone by their supervisor or the human resources department.

Training/Oversight

The OIG reviewed the D.C. Code and D.C. Municipal Regulations (DCMR) to determine if either contains specific requirements for mandated reporters, and found that the law is silent with respect to agencies' responsibilities for: 1) establishing internal policies and procedures for reporting child abuse and neglect; 2) implementing training requirements for mandated reporters; and 3) monitoring mandated reporter training compliance.¹⁷ According to representatives in the seven surveyed entities, vacancy announcements, position descriptions, and new employee orientation sessions were the most common modes used to inform employees that they are mandated reporters.

The OIG asked the seven entities if employees had received mandated reporter training and if such training was tracked and monitored. As seen in Table 2, four of the seven entities reported that some or all employees received training. Three entities monitored or could document employees' receipt of such training.

¹⁶ This instruction outlines, among other things, District government positions subject to criminal background checks, traffic record checks, and drug and alcohol testing for the protection of children and youth. The OIG found this instruction to be very effective in identifying precisely those positions in each District agency covered by the District's mandatory reporter law. When developing implementing guidance for agencies regarding mandated reporter requirements, applying this format would effectively address the concerns outlined within this MIR.

¹⁷ However, 29 DCMR § 322.7 provides that childcare workers in childcare facilities: 1) receive training on reporting child abuse and neglect; 2) immediately report suspected cases of abuse and neglect; and 3) cooperate with investigating officials.

Table 2. Assessment of Agencies' Provision and Monitoring of Mandated Reporter Training

Entity	Have employees received training?	Is receipt of training documented and tracked?	Planned Initiatives
DCPS	Partially: Some schools and departments have offered mandated reporter training.	No	Implementation of a standardized process for providing and monitoring mandated reporter training was scheduled for the 2010-2011 school year.
DDS	No	No	A training module that addresses reporting abuse and neglect was scheduled for implementation in August 2010. Such training will be a performance requirement and tracked by DDS's Training Information System.
DHS	Partially: DHS/IMA employees are trained during new employee orientation. DHS/FSA employees are not.	Partially: Because training is provided during orientation for DHS-IMA employees, the agency indirectly knows that this subset of employees has been trained.	
DOH	Partially: A subset of 20 DOH employees within the Community Health Administration received training. Other mandated reporter positions within DOH do not receive training.	Partially: Training is monitored for the subset of 20 DOH employees who received training.	
DPR	No	No	DPR is considering implementing mandated reporter training as a component of new employee orientation and as an annual requirement for certain personnel.
HFTC	Yes	Yes: HFTC reported that its human resources department monitors training compliance annually.	
PCSB	Unknown: The PCSB has not required that public charter school employees obtain mandated reporter training and therefore did not know whether any efforts had been taken within individual schools to require that staff obtain training.	Unknown	

Because many of the professions classified as mandated reporters are licensed by Health Occupations Boards, the OIG reviewed licensure requirements promulgated by 13 professional boards to determine whether these health professionals were required to obtain mandated reporter training as part of their licensure or continuing education requirements.¹⁸ (See Table 4 below for a list of professions for which licensure requirements were assessed.)

Table 3: List of Professions for Which Licensure Requirements Were Assessed		
• Chiropractors	• Marriage and Family Therapists	• Physical Therapists
• Dentists	• Nurses	• Physician Assistants
• Dietitians and Nutritionists	• Occupational Therapists	• Psychologists
• Teachers	• Optometrists	• Recreation Therapists
		• Social Workers

None of the professional boards *required* that applicants receive mandated reporter training when obtaining or renewing their license. The Board of Dentistry was the only professional board with a licensure requirement that addressed the topic of abuse and neglect. The licensure requirement states: “A dentist shall become familiar with the signs of abuse and neglect and report suspected cases to the proper authorities consistent with District of Columbia and federal laws.”¹⁹

While assessing issues related to mandated reporting of suspected child abuse and neglect, the OIG reviewed the Child and Youth, Safety and Health Omnibus Amendment Act of 2004 (Act)²⁰ and the DPM. The Act addresses safety-sensitive positions and covered child or youth services providers (covered positions). A safety-sensitive position is defined as:

- (A) Employment in which the District employee has direct contact with children or youth;
- (B) Is entrusted with the direct care and custody of children or youth; and
- (C) Whose performance of his or her duties in the normal course of employment may affect the health, welfare, or safety of children or youth.²¹

Pursuant to the Act, employees in safety-sensitive positions are subject to mandatory drug and alcohol testing. Under the Act, those employees deemed to be “covered child or youth services providers” are subject to criminal background checks. These individuals are defined as:

¹⁸ “For each profession or occupation, licensing examinations are required to assure that licensees meet established education and training standards as well as to measure the licensee’s knowledge, skills, and ability to safely practice their profession or occupation.” <http://hpla.doh.dc.gov/hpla/cwp/view,A,3,Q,488148,hplaNv,%7C30659%7C.asp> (last visited May 26, 2010).

¹⁹ 17 DCMR § 4213.31.

²⁰ D.C. Law 15-353.

²¹ *Id.* § 2031(10).

any District government agency providing direct services to children or youth and any private entity that contracts with the District to provide direct services to children or youth, or for the benefit of children or youth, that affect the health, safety, and welfare of children or youth, including individual and group counseling, therapy, case management, supervision, or mentoring.

E-DPM Instruction No. 4-15 identifies position titles within D.C. government agencies that are subject to these testing requirements. The OIG noted that some positions classified as safety-sensitive and covered are also considered mandated reporters as defined in D.C. Code §§ 4-1321.02(b) and (d) (e.g., social workers, nurses, rehabilitation assistants, and clinical psychologists). However, some positions listed in the instruction should be considered mandated reporters due to their involvement with children and youth, but are not designated as such (e.g., librarian, community outreach coordinator, firefighter). Given that employees in safety-sensitive and covered positions provide direct services to children and youth that may affect their “health, welfare, or safety,” the OIG believes that some of these positions should be classified as mandated reporters.

Conclusion

The OIG has found that, while the D.C. Code lists occupations that are considered mandated reporters of suspected child abuse and neglect, no regulations are in place governing responsibility to ensure that mandated reporters are trained to identify and report child abuse and neglect. Moreover, the D.C. Code does not mandate that District agencies develop internal policies and procedures for reporting child abuse and neglect, nor are there requirements that agencies monitor how and when employees who are mandated reporters obtain training. In addition, the OIG believes that some safety-sensitive and covered positions currently not classified as mandated reporters, should be classified as mandated reporters.

Children and youth are among the District’s most vulnerable citizens, and it is imperative that those charged with protecting them from abuse and neglect understand and fulfill their legal obligations. If mandated reporters are not made aware of their status and trained in executing these responsibilities, they may not be aware of or understand their legal obligations to report abusive and neglectful acts, and children may remain in perilous conditions. Finally, the District government may be liable if a mandated reporter fails to report child abuse and neglect and severe abuse, neglect, or death occurs. District agencies must mitigate these health and safety risks by developing policies and procedures on reporting suspected child abuse and neglect, requiring mandated reporters to receive training on how to recognize and report abuse and neglect, and monitoring such training.

Recommendations:

Due to the possibly wide-reaching negative effects on child welfare associated with the above conditions, the OIG recommends placing a high priority on the following actions:

1. That the Mayor issue an executive order that establishes:
 - a. safety-sensitive and covered positions, as defined by the Child and Youth, Health and Safety Omnibus Act of 2004, as mandated reporters;²²
 - b. requirements for agencies that employ mandated reporters to develop and implement internal policies and procedures for reporting abuse and neglect;
 - c. annual training requirements for all mandated reporters regarding how to recognize and report child abuse and neglect; and
 - d. requirements for agencies that employ mandated reporters to develop an oversight mechanism to track how and when mandated reporters receive training.
2. That the Mayor ensure that legislation is drafted and submitted to the D.C. Council to amend the D.C. Code to include:
 - a. those in safety-sensitive and covered positions, as defined by the Child and Youth, Health and Safety Omnibus Act of 2004, as mandated reporters;
 - b. requirements for agencies that employ mandated reporters to develop and implement internal policies and procedures for reporting abuse and neglect;
 - c. annual training requirements for all mandated reporters regarding how to recognize and report child abuse and neglect; and
 - d. requirements for agencies that employ mandated reporters to develop an oversight mechanism to track how and when mandated reporters receive training.
3. That the City Administrator recommend amending DCMR Title 29 - Public Welfare to include provisions requiring:
 - a. annual training for all mandated reporters regarding how to recognize and report child abuse and neglect; and
 - b. mandated reporters to immediately report and cooperate with officials investigating child abuse or neglect allegations.
4. That the Director of the D.C. Department of Human Resources (D/DCHR) update the DPM and promulgate an issuance aligned with the abovementioned amendments to the DCMR that includes a list of every District government position (with agency name, position title, and occupation series number) considered as a mandated reporter.
5. That the City Administrator direct every District agency that employs mandated reporters to designate a mandated reporter training coordinator who will:

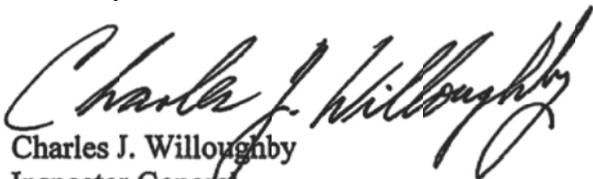
²² The OIG recognizes that employees in safety-sensitive and covered positions may have varying levels of interaction with children depending on their position titles and work environment. Consequently, judgment may be exercised by individuals (e.g., D.C. Department of Human Resources personnel, in consultation with law makers, law enforcement personnel, social service experts, etc.) when determining which safety-sensitive and covered positions should be identified as mandated reporters.

- a. identify all agency positions that are mandated reporters and routinely inform employees of their mandated reporter status;
 - b. develop and implement internal policies and procedures for mandated reporting;
 - c. ensure annual training requirements for all mandated reporters regarding how to recognize and report child abuse and neglect;
 - d. develop an oversight mechanism to track how and when mandated reporters receive training; and
 - e. submit annual reports to the City Administrator and the Director of the Child and Family Services Agency (D/CFSA) that detail which employees have received mandated reporter training, and the dates and method of training.
6. That the D/CFSA collaborate with the D/DCHR to develop a mandated reporter training curriculum and training course offered through DCHR's Workforce Development Administration (WDA). In anticipation of a surge in District employees needing mandated reporter training, a WDA training course would supplement CFSA's instructor-led training and online training. Such a course would also create a forum in which mandated reporters could learn from and ask questions of their peers and knowledgeable instructors.
7. That the City Administrator and the D/DCHR ensure that position descriptions for mandated reporters state that employees are required to be knowledgeable of and report signs of abuse and neglect observed in children and youth.
8. That the Director of the Department of Health recommend that the Health Occupations Boards overseeing the licensing of mandated reporter occupations consider a requirement that applicants receive mandated reporter training on their professional duties and responsibilities prior to obtaining or renewing their license.

Please provide your comments on this MIR by October 22, 2010. Your response should include actions taken or planned, dates for completion of planned actions, and reasons for any disagreements with the concerns and recommendations presented. Please distribute this MIR only to those who will be directly involved in preparing your response.

Should you have any questions prior to preparing your response, please contact Alvin Wright, Jr., Assistant Inspector General for Inspections and Evaluations at (202) 727-8452.

Sincerely,



Charles J. Willoughby
Inspector General

CJW/l dm

cc: The Honorable Vincent C. Gray, Chairman, Council of the District of Columbia
The Honorable Mary M. Cheh, Chairperson, Committee on Government Operations and
the Environment
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Secretary of the District of Columbia
Dr. Pierre Vigilance, Director, Department of Health

Attachment 1: Reports Provided by CFSA Detailing the Number of Individuals, by Profession and Employer, Who Registered for CFSA’s Online Mandated Reporter Training Course²³

Table 1: Profession		
	Respondents	Percent of Total [Respondents]
CFSA Employee/Agent/Contractor	362	11%
Day Care Worker	109	3%
Domestic Violence Counselor	1	<1%
Educator	355	11%
Law Enforcement Officer	1884	59%
Medical Professional	37	1%
Mental Health Professional	109	3%
Parks and Recreation Employee	8	<1%
Public Housing Manager	31	1%
Social Services Worker	68	2%
Other	230	7%
Total	3194	

²³ In Tables 1 and 2, the term “Respondents” represents individuals who registered for the online mandated reporter training course.

Table 2: Employer		
	Respondents	Percent of Total [Respondents]
Collaboratives	22	1%
DC Child Care	167	5%
CFSA	76	2%
D[O]H	2	<1%
DHS	4	<1%
DMH	8	<1%
DPR	2	<1%
DYRS	1	<1%
EOM	8	<1%
MPD	1920	60%
OSSE	56	2%
DC Private School[s]	34	1%
Elementary	27	
Middle	5	
High	2	
DC Public School[s]	255	8%
Elementary	201	
Middle	27	
High	27	
[DC] Charter School[s]	58	2%
Elementary	51	
Middle	4	
High	3	
Community Based Organization	156	5%
Hospital	11	<1%
Other Service Provider	11	<1%
Superior Court	1	<1%
Other	263	8%
No Response	139	4%
Total	3194	



**Government of the
District of Columbia**

Office of the Inspector General

*Report Fraud, Waste,
Abuse, or Mismanagement to:*

**Charles J. Willoughby
Inspector General**

Toll Free Hotline:

**1-800-521-1639
or 202-724-TIPS (724-8477)
or hotline.oig@dc.gov**

All calls are Confidential.

Address:

**Office of the Inspector General
717 14th Street, NW
Suite 500
Washington, D.C. 20005**

Web Page: www.oig.dc.gov

GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR

Office of the City Administrator



MEMORANDUM

TO: Charles J. Willoughby, Inspector General

FROM: Neil O. Albert, City Administrator

DATE: 19 November 2010

SUBJECT: OCA response to OIG Management Implication Report (MIR) 11-I-001

The Office of the City Administrator received Management Implication Report (MIR 11-I-001) dated October 8, 2010 regarding the "Lack of Awareness, Policies and Procedures, Training Requirements, and Oversight Mechanisms Regarding the Reporting of Suspected Child Abuse and Neglect in District Entities." In this report, the Office of the Inspector General (OIG) outlines recommendations for the Mayor to consider.

Given the timing of the OIG report and this response, it should be noted that the current administration in deference to the incoming administration is reticent to propose new legislation and promulgate rules. Additionally, there is no longer an opportunity to propose legislation in the current session of the District of Columbia Council. Notwithstanding, briefs on high priority issue have been drafted as part of the transition between administrations. The Fenty Administration will share its thoughts and guidance on this MIR to the transition team of the incoming administration for their consideration.

Nonetheless, the OIG should be aware that the Fenty Administration has taken many proactive steps that have a positive impact on the youth development outcomes for which the OIG recommendations are based. First, starting in January 2008 executive branch agencies proactively took several actions to begin to address the issues identified immediately after the deaths of the Jacks-Fogle children. The actions include developing a mandated reporter training web site¹ for use by public-sector and private-sector employees and volunteers. Furthermore, progress related to those actions were outlined in February 11, 2009 Executive branch testimony submitted to the Council Committee on Human Services. A copy was provided to the OIG in a March 2010 response to the OIG April 2009 special report on the Jacks-Fogle family.

Additionally, Mayor Fenty released the District's first-ever child abuse and neglect prevention plan in April 2010² and re-established the Mayor's Advisory Committee on Child Welfare

¹ dc.mandatedreporter.org

² cfsa.dc.gov/DC/CFSA/About+CFSA/Who+We+Are/Publications/Child+Abuse+and+Neglect+Prevention+Plan

(MACCAW) to provide oversight on the implementation of the prevention plan. There are 14 action steps in the prevention plan of which 2 are directly responsive to the issue of “oversight mechanisms regarding the reporting of suspected child abuse and neglect in District entities.” Specifically, the action steps are 1.2) “Encourage District Government staff and the community to use online mandated reporter training to increase awareness and understanding of child abuse/neglect and professional reporting requirements” and 1.3) “Add a community-based child abuse and neglect prevention training component to the mandated reporter training website.” Action step 1.2 has been ongoing and data from CFSA in the chart below details the implementation of the training. Action step 1.2 is ongoing see table below and Action step 1.3 is set to be completed in FY2011.

dc.mandatedreporter.org trainees (Feb 2009-January 2010)	
Healthy Family/Thriving Community Collaboratives	16
DC Child Care providers	141
Child and Family Services Agency	50
Department of Health	2
Department of Human Services	3
Department of Mental Health	5
Department of Parks and Recreation	2
Department of Youth Rehabilitation Services	1
Executive Office of the Mayor	8
Metropolitan Police Department	1633
Office of the State Superintendent for Education	45
DC Private Schools	33
Elementary	27
Middle	5
High	1
DC Public Schools	206
Elementary	161
Middle	23
High	22
DC Charter School	43
Elementary	38
Middle	2
High	3
Community Based Organization	117
Hospital	9
Other Service Provider	79
Superior Court	1
Other	239
Total	2633

data source: CFSA

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Human Resources



Office of the Director

October 22, 2010

Charles J. Willoughby
Inspector General
Office of the Inspector General
717 14th Street, N.W., 5th Floor
Washington, D.C. 20005

RE: Management Implication Report (MIR) (MIR 11-I-001) – Lack of Awareness, Policies and Procedures, Training Requirements, and Oversight Mechanisms Regarding the Reporting of Suspected Child Abuse and Neglect in District Government Agencies Employing “Mandated Reporters”

Dear Mr. Willoughby:

This letter responds to your request for comments on the above-referenced MIR.

The MIR makes the following recommendations for the D.C. Department of Human Resources (DCHR):

1. *That the DCHR update the District Personnel Manual and promulgate an issuance aligned with amendments to the District of Columbia Municipal Regulations (DCMR) that includes a list of every District government position considered as a mandated reporter;*
2. *That the Child and Family Services Agency (CFSA) collaborate with the DCHR to develop a mandated reporter training curriculum and training course offered through DCHR’s Workforce Development Administration supplementing the CFSA’s instructor-lead training and online training; and*
3. *That the Office of the City Administrator and the DCHR ensure that the position descriptions for mandated reporters state that employees are required to be knowledgeable of and report signs of abuse and neglect observed in children and youth.*

We appreciate you alerting us of these requirements. We will follow your agency’s recommendations; consult with the CFSA, OCA, and other agencies as needed to determine what positions are covered, work on the training curriculum, etc.; and make

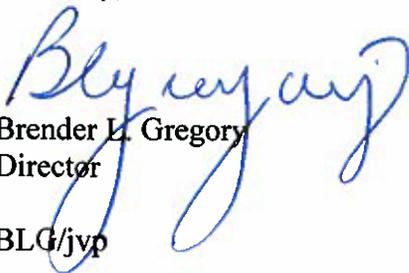
Memorandum to Charles J. Willoughby
MIR 11-I-001
Page 2

necessary changes to our regulations and procedures in order to bring these matters to fruition.

We should be able to complete the recommendations no later than **Monday, February 28, 2011**.

If you have any questions regarding our response, please contact me at (202) 442-9600, or have your appropriate staff person contact [REDACTED], Associate Director, Policy and Planning Administration, DCHR, at (202) [REDACTED].

Sincerely,



Brender L. Gregory
Director

BLG/jvp